

## **REMARKS**

Applicants respectfully request reconsideration of the instant application in view of the following remarks. No new claims and no new matter have been added.

### **Rejections under 35 USC §102**

The Examiner has rejected each of the pending independent claims under § 102(e) in view of US Patent Number 6,523,166 to Mishra (the "Mishra patent"). The Mishra patent was filed on September 21, 1998.

Applicants have amended the instant application to claim priority to parent application 09/040,972, now US Patent No. 6,324,685. The parent application was filed on March 18, 1998. Applicants are in the process of obtaining a new Declaration to complete Applicants' claim to priority, and will forward that document shortly.

In view of this priority claim, Applicants respectfully submit that the Mishra reference is not properly citeable under 35 USC 102(e).

In view of the aforementioned remarks, Applicants respectfully submit that all of the claims now pending in the application are in condition for allowance, which action is earnestly solicited.

If any issues are apparent, or if the Examiner has any suggestions to expedite prosecution, he is invited to contact the undersigned at the telephone number below.

## **AUTHORIZATION**

The Commissioner is hereby authorized to charge any additional fees which may be required for this amendment, or credit any overpayment to Deposit Account 13-4500, Order No. 3802-4032.


In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4500, Order No. 3802-4032. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

**CONCLUSION**

It is now believed that all pending claims are in condition for allowance. In view of the amendment and remarks, an early and favorable reconsideration is respectfully requested.

Respectfully submitted,  
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